

patent application (i.e., Claims 20-31) are respectfully requested in view of the foregoing amendments and the following remarks.

At the outset, it should be recalled that the present invention provides a playhouse for children having supporting posts with limit stops or locking elements and being formed as vertical plate-like bodies. A roof affixed to the supporting posts with the roof being a self-supporting slab resting in a horizontal direction directly upon the supporting posts. The playhouse of the present invention can be constructed quite easily, and in little time, and the elements thereof can be assembled in differing ways.

As will be explained in greater detail hereinafter, nowhere in the prior art is such a novel and versatile playhouse for children either disclosed or suggested.

By the present amendments, Applicant has cancelled original Claims 1-19, and has substituted therefor new Claims 20-31, of which Claim 20 is the single independent claim now pending in the instant patent application. Claim 20 (and all remaining claims via dependency) now recite that the supporting posts of the inventive playhouse are formed as vertical plate-like bodies.

In so amending the claims, Applicant has taken into consideration the grounds for the Examiner's 35 U.S.C. §112,

second paragraph, indefiniteness rejection. The terminology deemed to be indefinite by the Examiner has either been omitted from the newly-presented set of claims, or rewritten.

In light of the presentation of new Claims 20-31, Applicant respectfully contends that the Examiner's 35 U.S.C. §112, second paragraph, indefiniteness rejection of the first Office Action has now been overcome and should be withdrawn.

The first Office Action also included an objection to the drawing figures of record, issued pursuant to 37 C.F.R. §1.83(a). The Examiner had contended that the "stairs or slide connecting the slab and floor space," originally recited in Claim 14, was not illustrated in the drawing figures. This feature is no longer recited in the newly-pending claims and, consequently, Applicant respectfully submits that the 37 C.F.R. §1.83(a) drawing objection is now moot.

Turning now, in detail, to an analysis of the Examiner's prior art rejection of Applicant's claims, in the first Office Action the Examiner has rejected the subject matter of original Claims 1-3, 5-11, 14 and 15 as being anticipated, pursuant to 35 U.S.C. §102(b), by Vinson, U.S. Patent No. 4,262,900. In this anticipation rejection, the Examiner has contended that Vinson discloses a playhouse made from pre-fabricated parts comprising a slab (42) with a side rail, wherein the slab is resting on supporting posts (38), and

connected to a level framework.

In reply to the Examiner's anticipation rejection applying Vinson, the cited reference discloses a playground set in which the slab (42), referred to by the Examiner in the rejection, is a floor, rather than a roof and, for this reason, is distinguishable from the self-supporting slab of the presently claimed invention.

Further, the "supporting posts" of the presently claimed invention are now recited in the claims as being in the form of "vertical plate-like bodies." By contrast, the "supporting posts," as argued by the Examiner in the rejection are submitted to be neither "vertical" nor "plate-like" in construction. The supporting posts (38) in Vinson can instead be described as diagonally-positioned posts, rather than vertical, plate-like bodies.

Because of the foregoing distinctions, which include the use of the self-supporting slab in the invention as being used for a roof, rather than a floor, and that the supporting posts are vertical plate-like structures, rather than diagonal posts, Applicant respectfully contends that Vinson does not disclose, and cannot reasonably be seen as suggesting, the structural differences existing between the prior art and that which is now being claimed by Applicant.

In light of the foregoing, Applicant respectfully sub-

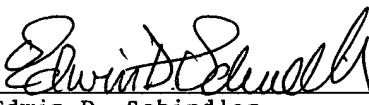
mits that the Examiner's 35 U.S.C. §102(b) anticipation rejection of Applicant's claims has been overcome and should now be withdrawn.

In view of the foregoing, it is respectfully contended that all claims now pending in the above-identified patent application (i.e., Claims 20-31) recite a novel playhouse and versatile for children, having a slab structure for a roof and supporting posts formed as vertical plate-like bodies, which is patentably distinguishable over the prior art. Accordingly, withdrawal of the outstanding rejection and the allowance of all claims are respectfully requested and earnestly solicited.

Respectfully submitted,

HARTMUT EICHINGER

By



Edwin D. Schindler
Attorney for Applicant
Reg. No. 31,459

Five Hirsch Avenue
P. O. Box 966
Coram, New York 11727-0966

(631)474-5373

March 21, 2001

- Enc.: 1. Petition for Three-Month Extension of time; and,
2. Check for \$445.00 (Extension Fee).

The Commissioner is hereby authorized to charge the Deposit Account of Applicants' Attorney, Account No. 19-0450, for any additional fees which may be due in connection with the prosecution of the present application, but which have not otherwise been provided for.